

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

In Re:  
JAMES YOUNG TURNER, JR  
KELLY ANN TURNER

Debtor(s)

\_\_\_\_\_  
JAMES YOUNG TURNER, JR  
KELLY ANN TURNER

CASE NO. 3:10-BK-10939-PMG  
CHAPTER 13

Plaintiff,

Adversary Proceeding #: 3:12-ap-  
00205-PMG

Vs.

COMPASS BANK

Defendant,  
\_\_\_\_\_

**STIPULATED CONSENT JUDGMENT**

THIS CAUSE came on for consideration by agreement for the parties, upon Debtors' Complaint against COMPASS BANK [D.E. No.1]. The Real Property that is subject of the Complaint is located at 730 MARTINIQUE CT, ORANGE PARK, FL 32003 and further more particularly described as follows:

**ALL THAT CERTAIN LAND IN CLAY COUNTY, FLORIDA, TO-WIT:**

**LOT(S) 60, BLOCK 3 OF ISLAND FOREST AS RECORDED IN PLAT BOOK 30, PAGE 60, ET SEQ., OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.**

**SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS,**

**COVERNANTS, OIL, GAS OR MINERAL RIGHTS OF RECORD, IF ANY.**

The parties have agreed and,

RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
J.B. VOL. 54 NO. 7512

Accordingly, it is hereby

ORDERED:

1. Claim No. 8-1 filed by COMPASS BANK in the amount of \$24,900.80 shall be treated as an allowed unsecured claim in this Chapter 13 case.
2. Upon successful completion of the Debtor's chapter 13 Plan and the entry of a discharge under §1328 (a), the third mortgage lien shall be deemed null and void and no longer a lien against the property. The Third mortgage held by COMPASS BANK, in the amount of \$25,000.00 recorded on January 17, 2008 at O.R. Book 2983 Page Number 1205 et seq. Instrument number 2008002645 of the official records of Clay County, Florida, is stripped as wholly unsecured and the mortgage shall be deemed satisfied by the recording of this Order following chapter 13 plan completion and entry of discharge.
3. Should the Debtor's fail to complete their chapter 13 Plan and receive a discharge under §1328 (a), then the lien shall remain.

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4. If the above-captioned case is dismissed or converted to Chapter 7, or if the Debtors do not successfully complete their Chapter 13 Plan and not receive a Discharge of Debtors notice from the Court, COMPASS BANK shall be restored to its pre-petition secured status.

/s/ [Signature]  
Lydia M. Gazda, Esquire  
Florida Bar #71842  
9204 King Palm Drive  
Tampa, FL 33619-1328  
Attorney for Creditor  
COMPASS BANK

/s/ [Signature]  
Nancy A Draughon, Esquire  
Florida Bar #15086  
3733 University Blvd W Suite 212  
Jacksonville, FL 32217  
Attorney for Debtor  
James Young Turner, Jr. and Kelly Ann Turner

DATED: March 16, 2012 in Jacksonville,  
Florida.

[Signature]  
Paul M. Glenn  
Chief United States Bankruptcy Judge

Copies furnished to:

COMPASS BANK  
C/O LYDIA M. GAZDA, ESQ.  
9204 KING PALM DRIVE  
TAMPA, FL 33619

JAMES YOUNG TURNER, JR  
730 MARTINIQUE COURT  
FLEMING ISLAND, FL 32003

KELLY ANN TURNER  
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DOUGLAS NEWAY, TRUSTEE  
P O BOX 4308  
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